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16800 USPTO  
10/771525

020504

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No.	000166.0109-US03																													
		First Inventor	David Edwards																													
		Title	INHALATION DEVICE AND METHOD																													
		Express Mail Label No.																														
<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>		<b>ADDRESS TO:</b> MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450																														
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. <input checked="" type="checkbox"/> Specification <span style="border: 1px solid black; padding: 2px;">[Total Pages 44]</span> <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies																														
4. <input checked="" type="checkbox"/> Drawing(s) <i>(35 U.S.C. 113)</i> <span style="border: 1px solid black; padding: 2px;">[Total Sheets 20]</span> 5. Oath or Declaration <span style="border: 1px solid black; padding: 2px;">[Total Sheets ]</span> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application <i>(37 CFR 1.63(d))</i> <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i>		<b>ACCOMPANYING APPLICATION PARTS</b> 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input checked="" type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). <i>Applicant must attach form PTO/SB/35 or its equivalent.</i> 17. <input type="checkbox"/> Other: _____																														
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: <u>10/268,059</u> Prior application information: Examiner <u>Sabrina Dagostino</u> Art Unit: <u>3743</u> <b>For CONTINUATION OR DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.																																
<b>19. CORRESPONDENCE ADDRESS</b> <input checked="" type="checkbox"/> Customer Number: <u>26853</u> OR <input type="checkbox"/> Correspondence address below <table border="1"> <tr> <td>Name</td> <td colspan="4">COVINGTON &amp; BURLING</td> </tr> <tr> <td>Address</td> <td colspan="4">1201 Pennsylvania Avenue, NW</td> </tr> <tr> <td>City</td> <td>Washington</td> <td>State</td> <td>D.C.</td> <td>Zip Code</td> </tr> <tr> <td>Country</td> <td>USA</td> <td>Telephone</td> <td>202.662.6000</td> <td>Fax 202.662.6291</td> </tr> </table> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>Andrea G. Reister</td> <td>Registration No. (Attorney/Agent)</td> <td>36,253</td> </tr> <tr> <td>Signature</td> <td colspan="2"><i>Andrea G. Reister</i></td> <td>Date February 5, 2004</td> </tr> </table>					Name	COVINGTON & BURLING				Address	1201 Pennsylvania Avenue, NW				City	Washington	State	D.C.	Zip Code	Country	USA	Telephone	202.662.6000	Fax 202.662.6291	Name (Print/Type)	Andrea G. Reister	Registration No. (Attorney/Agent)	36,253	Signature	<i>Andrea G. Reister</i>		Date February 5, 2004
Name	COVINGTON & BURLING																															
Address	1201 Pennsylvania Avenue, NW																															
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Signature	<i>Andrea G. Reister</i>		Date February 5, 2004																													

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,402.00)

## Complete if Known

Application Number	Divisional of 10/268,059
Filing Date	February 5, 2004
First Named Inventor	David Edwards
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	000166.0109-US03

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  Other  None
 Deposit Account:

Deposit Account Number 50-0740

Deposit Account Name Covington &amp; Burling

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					

SUBTOTAL (1) (\$ 770.00)

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Andrea G. Reister	Registration No. (Attorney/Agent)	36,253	Telephone	(202) 662-6000
Signature				Date	February 5, 2004



14042 U.S. PTO  
020504

Docket No.: 000166.0109-US03  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
David Edwards et al.

Application No.: Divisional of 10/268,059

Group Art Unit: N/A

Filed: February 5, 2004

Examiner: Not Yet Assigned

For: **INHALATION DEVICE AND METHOD**

**TRANSMITTAL LETTER**

**MS Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Fee Transmittal;
2. Utility Patent Application Transmittal;
3. Application Data Sheet;
4. Utility application comprising: 36 pages of description; seven pages of claims (36 claims); a one page abstract; and 20 sheets of formal drawings (Figs. 1-6, 7A-7D, 8, 9A, 9B, 10-15, 16A-16D, 17A-17C, 18, and 19A-19C);
5. Copy of the Declaration for Utility Patent Application (37 CFR 1.63) filed in prior Application No. 10/268,059;
6. Copy of the Power of Attorney filed in prior Application No. 10/268,059;

7. Copy of the Statement under 37 CFR 3.73(b) with a copy of the Assignment, filed in prior Application No. 10/268,059;
8. Information Disclosure Statement;
9. Form PTO/SB/08a/b;
10. Check No. 323847 for \$1,402.00 to cover:  
    \$770.00 basic filing fee;  
    \$632.00 additional claims fee; and
11. Two return receipt postcards.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0109-US03. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: February 5, 2004

Respectfully submitted,

By   
Andrea G. Reister

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